

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	:	Case No. 1:23-cr-00490 (SHS)
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
ROBERT MENENDEZ, et als,	:	
	:	
Defendants.	:	
	:	

**DECLARATION OF TIMOTHY M. DONOHUE IN SUPPORT OF**  
**MOTION TO WITHDRAW AS COUNSEL**

I, Timothy M. Donohue, hereby declare pursuant to 28 U.S.C. § 1746 that the following is true and correct to the best of my knowledge, information and belief:

1. I am a partner at the law firm of Arleo & Donohue, LLC and a member in good standing of the bar of the State of New Jersey. I respectfully submit this declaration pursuant to Local Criminal Rule 1.1(b) and Local Civil Rule 1.4 in support of the accompanying Motion to Withdraw as Counsel of Record for Defendant Fred Daibes in this matter.

2. Cesar DeCastro and Shannon McManus have previously entered appearances in this matter and will remain as counsel for Fred Daibes. Mr. DeCastro and Mr. McManus have each indicated that they are available on the current trial date of May 6, 2024.

3. Due to the availability and readiness of Mr. DeCastro and Mr. McManus as noted above, my withdrawal as counsel will not delay this action or prejudice Fred Daibes.

4. Fred Daibes has consented to this withdrawal.

5. My firm is not asserting any retaining or charging lien.

6. Pursuant to Local Civil Rule 1.4, a copy of this application is being served upon Fred Daibes and all other parties.

7. Accordingly, I respectfully request that the Court grant the Motion to Withdraw.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 5, 2024

ARLEO & DONOHUE, LLC.

By: /s/ Timothy M. Donohue  
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